



Governor Terry E. Branstad
Lt. Governor Kim Reynolds
San Wong, Director

Public Safety Advisory Board

MINUTES OF REGULAR MEETING--CORRECTED

Jessie Parker Building
Grant Room
510 E. 12th Street
Des Moines, Iowa

September 21, 2016

- Present:** Tom Walton, Chair; Mardi Allen; Kim Cheeks; Tom Ferguson; John Hodges; Mary Kovacevich; Michelle Leonard; Amber Markham; Lettie Prell; Sherri Soich; Kurt Swaim; Tony Thompson; **Ex-Officio:** Hon. Romonda Belcher; Hon. Jeffrey Neary
- Staff:** Steve Michael; Kile Beisner; Julie Rinker; Lanette Watson
- Others:** Betty Andrews; Jean Basinger; Laura Book; Cathy Engel; JoAnn Finkenbinder; Bill Freeland; Brian Guillaume; Pamela Hays; Anna Hyatt; Mark Lowe; Kelly Meyers; Marty Ryan; Melissa Spiegel; Alice Wisner

Tom Walton called the meeting to order at 12:55 p.m. A quorum was present.

I. Approval of Minutes— May 18, 2016

Tom Ferguson moved to approve the minutes from the May meeting, seconded by Michelle Leonard. There was no discussion; the motion was unanimously approved.

II. Iowa Department of Transportation (DOT) Mark Lowe/Melissa Spiegel Driver's License Revocations

Mark Lowe, Iowa DOT Transportation Division Director, provided an overview of the department's mission—safe mobility for Iowans. He distributed a handout regarding the types of driving sanctions. In FY2016, 76% of all driving sanctions were unrelated to driving. Of those, 46% were "failure to pay fines". Only 22% of all sanctions were driving-related (12% OWI, 8% habitual offender, 2% incapability).

Lowe noted that it was appropriate to discuss costs associated with revoking and re-issuing licenses for unrelated sanctions. He also noted the correlation of losing a driver's license and the inability to pay fines. However, many of these sanctions are funding streams for various agencies/projects within state government.

Discussion included:

- that there are ways an individual can make payment arrangements to restore driving privileges;
- data are not available regarding race/ethnicity; and
- Lowe did not know the percentages of revenue collected/uncollected.

III. Iowa Department of Corrections (DOC) Risk Assessment for Drug Offenders

Lettie Prell reviewed the various risk assessments used by the DOC to predict a variety of behaviors and needs to assist with sentencing, programming, release, and recidivism. These risk assessments have been validated on Iowa offenders, both male and female, and are based on actuarial science. Prell noted that a common risk assessment, the Iowa Violence and Victimization Instrument (IVVI), is utilized on almost all offenders. A more direct risk assessment is used for sex offenders. Risk assessments are only one of several considerations when considering sentencing, programming, and release to the community.

Recently passed legislation (HF2064) provides a range of sentencing guidelines for robbery, child endangerment, and drug-related crimes that require mandatory minimum sentences. To be eligible for parole or work release, the legislation incorporates the completion of a validated risk assessment amongst other considerations.

Training is provided to case managers, probation/parole officers, and judges. It was suggested that training also be provided to defense and prosecuting attorneys.

IV. Research on Issues from Governor's Working Group

Beisner reviewed a handout relating to further research requested on issues related to crack/powder cocaine disparity, alternatives to prison, non-criminal suspension/revocation of driver's licenses, and decriminalization of marijuana possession.

- **Crack/Powder Cocaine Disparity**

Beisner presented information regarding crack and powder cocaine. She noted that research suggests the makeup of the drugs is similar, having similar effects. Current law is disparate in quantities and penalties and disproportionately affects the incarceration of African-Americans in Iowa.

In the past, this Board has discussed the matter, and passed a motion recommending the penalties or quantities should be modified—leaving the decision in the hands of legislators. If amounts and penalties for the two forms of cocaine were equalized, it would result in the reduction of prison terms for some African-Americans.

The Board held a lengthy discussion regarding how the two drugs are used and equivalent dosage amounts. There was consensus that more information was needed from experts. The Board agreed and asked for staff to locate an expert in

the field, possibly from the Department of Public Health, to provide more information at the November meeting.

- **Alternatives to Prison**

Beisner referred to the handout which listed alternatives to prison provided by the DOC. The list was provided as informational. Beisner noted that research from national justice organizations demonstrates the difficulty in determining best practices on a nationwide basis. What may work in a large metropolitan area may not work in a rural setting. Iowa's Results First initiative helps in analyzing correctional programs better suited to Iowa and the cost/benefit of those programs.

Public comment included suggestions to contact former inmates to solicit their input on what they think worked best for them. Kim Cheeks added concerns regarding young men who sit idle in prison. Programming and educational courses are not available unless paid by families or when an offender is nearing exit from prison which is usually later in life.

- **Driver's License Suspension/Revocations**

This item was discussed earlier in the meeting.

- **Decriminalization of Marijuana Possession**

Due to time constraints, this item was not discussed.

Prell suggested the recommendations be further addressed at the next meeting. If there are no recommendations on a specific area, then the subject matter would not be included in the report.

V. Issues for Next Meeting

Beisner stated that the draft report would be sent two weeks prior to the November meeting. Council members should come prepared to finalize recommendations. She will arrange aforementioned presentations.

VI. Adjournment

Prell moved to adjourn, seconded by Mary Kovacevich. The motion carried and the meeting adjourned at 3:03 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights